

10/194,978 filed 07/12/2002

Wada, et al.

Reply to Office Action of 04/19/2006

REMARKS/ARGUMENTS

Claims 1–14 are pending in the above-captioned application. All of these claims stand rejected. With this paper, claims 1, 3, 4, 6–9, and 14 have been amended, and claim 2 has been canceled. No new matter was added with the amendment.

I. Objection to the Specification

The Examiner objected to the specification because of the informality that the continuation information was not current. Applicant has updated the continuation information to show that the parent application has issued as U.S. Pat. No. 6,670,153.

The Examiner also objected to the content of the abstract. The abstract has been rewritten according to the requirements of the U.S. Patent and Trademark Office.

II. Claim rejections under 35 U.S.C. § 112, second paragraph

Claims 1–14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Each of the Examiner's reasons for rejecting claims 1–14 has been addressed in the amendments made to the pending claims, incorporating the Examiner's suggestions.

Independent claims 1 and 8 have each been amended to provide a step that correlates back to the preamble. In claim 1, the added step is "subjecting the reaction channel to conditions such that a hot start polymerase chain reaction is performed." In claim 8, the added step is "subjecting the reaction channel to conditions such that a temperature mediated reaction is performed." Thus, Applicant has followed the Examiner's suggestion to include a "subjecting the reaction channel to conditions such that" step. Support for this amendment is provided throughout the specification, with examples of such conditions being provided at the top of page 6, paragraph 0024; on page 11, paragraph 0048; and on pages 18 and 19 in paragraphs 0067 through 0073.

Claim 2 has been canceled.

Claim 3 has been amended to recite "a primer, a template molecule, and a buffer."

This change was made in response to the Examiner's objection to claim 5 and its lack of

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antecedent basis for "the template molecule." As discussed below, claim 1 was amended to correct the antecedent problem in claim 5, necessitating the amendment to claim 3.

Claim 4 was not objected to but has been amended to change dependency of the claim from claim 1 to claim 3, thereby defining materials comprising the first reaction mixture slug recited in claim 4.

Claim 5 was objected to because "the reaction" lacked proper antecedent basis. This has been corrected by amending claim 1 to recite "a hot start polymerase chain reaction." Claim 5 was also objected to on the basis that "the template molecule" lacked antecedent basis, claim 1 as originally presented reciting "template molecules." This has been corrected by amending claim 1 to recite "a primer, a template molecule, and a buffer."

Claim 6 has been amended to depend from claim 5 instead of claim 1, thereby providing antecedent basis for "the denaturation." The amendment of claim 1 to recite "a template molecule" provides antecedent basis for "said template molecule" in claim 6.

Claim 7, which was the only one of the claims dependent upon claim 1 that recited "the template molecules," has been amended to recite "the template molecule."

Claim 8 has been amended as previously discussed.

Claim 9 has been amended as suggested by the Examiner, replacing the semicolon with a comma.

Claim 14 has been amended to refer the repeated temperature cycling back to the "conditions" now recited in amended claim 8.

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Conclusion

The Examiner has stated that claims 1-14 are free of the prior art. Therefore, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned attorney.

Respectfully submitted,



Ann C. Petersen
Reg. No. 55,536

CALIPER LIFE SCIENCES, INC.
605 Fairchild Drive
Mountain View, CA 94043
Direct: 650-623-0667
Fax: 650-623-0504
ann.petersen@caliperLS.com

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